

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

STEELE RANCH, INC., et al,

Plaintiffs,

v.

Civ. No. 18-674 GJF/GBW

STATE OF NEW MEXICO ex rel.
STATE LAND OFFICE, et al.,

Defendants.

**STIPULATED ORDER DISMISSING FEDERAL CLAIMS, GRANTING
PLAINTIFFS LEAVE TO AMEND, AND REMANDING CASE TO STATE COURT**

THIS MATTER is before the Court on the parties' Joint Motion [ECF No. 10]. The Court FINDS:

- 1) Plaintiffs were granted leave to file their Third Amended Petition *nunc pro tunc* by Order of this Court on August 17, 2018;
- 2) Defendants were ordered to file an Answer to Plaintiffs' Third Amended Petition by August 27, 2018;
- 3) Defendants filed their Answer to the Third Amended Petition on August 27, 2018, as ordered by this Court;
- 4) A status conference was held on August 27, 2018, and the Court directed Plaintiffs to submit a Modified Order of Remand approved by Defendants.

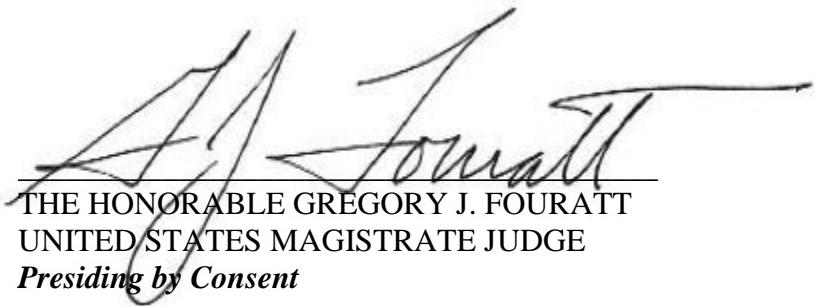
IT IS THEREFORE ORDERED that any federal claims, defenses, and/or federal questions set forth in Counts 2 and 3 of the Second Amended Petition [ECF No. 1, attach. 2] are hereby dismissed, with Plaintiffs reserving their rights to assert any claims that might exist under the New Mexico Law, Authorities and Constitution.

IT IS FURTHER ORDERED that Plaintiffs shall not file in the future any of the claims for federal relief as defined in Plaintiffs' Second Amended Petition for Declaratory Relief.

IT IS FURTHER ORDERED that the above-captioned matter is hereby **REMANDED** to the Tenth Judicial District Court, County of De Baca, New Mexico, for continued litigation and trial. The Clerk is directed to mail a certified copy of this Order of Remand for lack of subject matter jurisdiction, 28 U.S.C § 1447(c), to the clerk of the New Mexico Tenth Judicial District.

IT IS FURTHER ORDERED that all parties are to bear their own costs and fees.

IT IS SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent

SUBMITTED AND APPROVED BY:

/s/: Kenneth C. Downes

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